

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

JULY 13, 2004

**Relates to S-1 from June 22<sup>nd</sup>**

On November 3, 1993, the electorate passed a constitutional amendment that directed proceeds of a ½-cent sales tax to be used exclusively for local public safety services commonly referred to as Proposition 172. This funding was the result of the Legislature's shifting of \$2.3 billion in property tax revenue from cities and counties to the State's schools. While this funding has given *some* relief to public safety, it is inadequate partly due to the language in the legislation authorizing governments to supplant.

The Sheriff's Public Safety and Homeland Security initiative calls for a countywide sales tax increase by another ½-cent to be dedicated exclusively for public safety. There is no doubt that public safety needs additional funding and should be a top priority for local governments.

To request the taxpayers to tax themselves again shifts the burden from governments to the taxpayers. Moreover, the sales tax for our County is already high at 8.25% in comparison to other large counties. For example, the sales tax for the counties of San Diego, Orange and San Bernardino is 7.75% and 7.25% for the County of Ventura.

This Board, as the governing body for the County, has the policy-making authority to set aside adequate funding from its existing revenues exclusively for public safety. Under the proposed initiative, the Sheriff's portion for the unincorporated areas is about \$45.6 million. This Board has sufficient funds in the general fund which can be allocated to the Sheriff for the unincorporated areas. For example, this Board, by way of a policy, chooses to allocate general fund dollars to the Department of Health Services for its

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**MOTION**

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commitment to the Maintenance of Effort (MOE) for the 1115 waiver when, in fact, tobacco settlement dollars can and have been previously used for that purpose. Over \$90 million of general fund dollars have been allocated to DHS in the course of the last three fiscal years for that purpose as follows: FY 02/03 - \$20 million; FY 03/04 - \$30 million; and FY 04/05 - \$40 million. Clearly, this issue is a matter of priority and not funding.

Since the County's ordinances and policies do not extend beyond its unincorporated areas, and we may not issue mandates to contract and independent cities, each city may exercise its own authority and dedicate a portion of their existing revenues for public safety should they wish to do so. Similarly, each city may seek a ballot measure to impose new taxes upon its taxpayers independent of the County should they wish to do so.

Alternatively, if the County, contract and independent cities are going to call upon the taxpayers for any relief, they should each be willing to assure fiscal responsibility and match the financial burden by meeting the taxpayers half-way. Stated differently, the ballot measure would call for a ¼-cent sales tax increase, instead of a ½-cent sales tax increase, with an equal match by each city and the County. The match would be phased in as follows: first 3 years – 0% match; years 4 and 5 – 50% match; and year 6 and on – 100% match. Since the County may not dictate that each city dedicate a portion of their existing revenues for public safety, each city would have that option if they wish to draw down the additional ¼-cent sales tax revenue. However, those cities that do dedicate the requisite matching funds would qualify for the revenues from the increased sales tax. Since custody operations is part and parcel to enhanced law enforcement countywide, the formula for allocation of the revenues would also call for increased funding for Sheriff's custody operations to assure that criminals serve the full term of their sentences.

I, THEREFORE, MOVE that the Board of Supervisors implement a policy whereby the amount the Sheriff would gain from his ½-cent ballot initiative for the unincorporated areas would come from our existing revenues. One possible source of revenue for this purpose is general funds currently allocated to the Department of Health Services (DHS) for our commitment to the Maintenance of Effort for the 1115 Waiver which can be replaced with tobacco settlement funds. This policy shall also be clear that said funding shall be above and beyond the existing funding allocated to the Sheriff to enhance public safety and are not to be supplanted. If the Board of Supervisors will not support this plan, I MOVE that the Board place a ballot measure which would call for a ¼-cent sales tax increase with a commitment from the County and all participating contract and independent cities that they match those funds with an equivalent amount from their existing budgets. The match shall be phased in as follows: first 3 years – 0% match; years 4 and 5 – 50% match; and year 6 and on – 100% match. The formula for the allocation of the revenues shall include increased funding for Sheriff's custody operations and the measure shall be constructed so as to prohibit supplanting.

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MDA:aplmc